

### Remarks

The Office Action asserts that Applicants' reply filed on August 4, 2005 is not fully responsive to the Office Action dated June 16, 2005 because Applicants failed to point out how the claim amendments overcome the applied prior art.

Applicants have carefully reviewed the Office Action of June 16, 2005. The Office Action rejects independent Claim 8 under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 5,072,687 to Mitchell. Mitchell does not teach or suggest that the trough 122 contains a water/oil emulsion in addition to the polymer powder 124. In fact, Mitchell makes no reference to oil or an emulsion in the disclosure. Therefore, Mitchell does not anticipate the need or attempt to provide for separating water from a water/oil emulsion that is *in the trough* with the polymer powder, as taught in the present application. Claim 8 is amended herein to more particularly describe this aspect of the present invention. Accordingly, Applicants submit that independent Claim 8 is patentable over Mitchell. Dependent Claims 9-10, and 12 are also patentable, for the reasons regarding independent Claim 8.

The Office Action rejects Claim 11 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,072,687 to Mitchell in view of U.S. Patent No. 6,428,701 to Mullennix. The Examiner states that Mitchell does not specifically describe an auger. Mullennix is directed to bioremediation of waste water traveling through a sewer system with adaptation of the man hole cover. Mullennix is not directed to an apparatus for separating water from a water/oil emulsion of the present invention. In view of the above remarks regarding Mitchell and Claim 8 being patentable over Mitchell, and Claim 11 being dependent on Claim 8, then one would conclude that Mitchell and Mullennix, when read together, do not disclose the present invention. Accordingly, Applicants submit that dependent Claim 11 is patentable over Mitchell in view of Mullennix.

The Office Action cites U.S. Patent No. 4,857,065 to Seal for its disclosure of a fluidized bed apparatus containing particulate material, the likes of which are coated with a superabsorbing polymeric material. The Examiner refers to Claim 12, but does not reject Claim 12, and states that "it is unclear whether particles are fed through an inlet and discharged through a separate outlet, or whether feed and discharge is through the same opening." Claim 12 is

dependent on Claim 9, which is dependent on Claim 8. Claim 8 is amended herein to more particularly describe this aspect of the present invention. Seal is directed to an absorbent product that includes superabsorbent polymer, not to an apparatus for separating water from a water/oil emulsion of the present invention. Accordingly, Applicant submits amended Claim 12 is patentable.

The Office Action also rejects Claim 13 under 35 U.S.C. 112 for failing to particularly point out and distinctly claim the invention. The Office Action specifically asserts that it is unclear whether the inlet and outlet for admitting and discharging, respectively, the water/oil emulsion could be the very same inlet for admitting and discharging the granules. Claim 13 is amended herein to recite that the apparatus includes a granule removal outlet for removing granules from the column and *a granule addition* inlet for adding granules to the column. Accordingly, Applicant submits amended Claim 13 is patentable.

In view of the forgoing, allowance of Claims 8-13 is hereby requested.

If Examiner Barry has any further questions, applicant would welcome a telephone call to resolve these questions.

Respectfully submitted,



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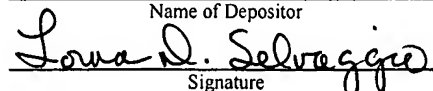
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